

Attorneys for Defendant  
CITY OF SANTA CLARA

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NEAL G. BENSON,

Plaintiff,

**VS.**

SANTA CLARA MASONIC LODGE  
#299, SANTA CLARA POLICE  
DEPARTMENT AND CITY OF  
SANTA CLARA, CA. MASONIC  
GRAND LODGE SAN FRANCISCO,  
CA. SCOTTISH RITE BODIES OF  
SAN JOSE, CA,

**Defendants.**

Case No. C07 03476 HRL

**[Proof of Service]**

Case Name: Benson v. Santa Clara Masonic Lodge, et al.

Case No: C07-03476 HRL

**PROOF OF SERVICE**

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. My business address is 96 No. Third Street, Suite 500, San Jose, California 95112. I am employed in the County of Santa Clara where this service occurs. On the date indicated below I served a true copy of the following documents:

**DEFENDANT CITY OF SANTA CLARA'S NOTICE OF MOTION AND MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED (FRCP 12(b)(6)), OR IN THE ALTERNATIVE, MOTION FOR MORE DEFINITIVE STATEMENT (FRCP 12(e)); POINTS AND AUTHORITIES;**

**DEFENDANT CITY OF SANTA CLARA'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT MOTION TO DISMISS**

☐ (BY MAIL) By placing a true copy of the aforementioned documents enclosed in a sealed envelope, with postage thereon fully prepaid to be placed in the U.S. mail at San Jose, California, addressed as set forth below. I am readily familiar with my employer's practice for collection and processing correspondence for mailing with the United States Postal Service. Documents so collected and processed are place for collection and deposit with the U.S. Postal Service on the same day in the ordinary course of business, at 96 North Third Street, Suite 500, San Jose, California 95112.

☐ (BY FACSIMILE) I personally sent to the addressee's telecopier number a true copy of the above-described document(s).

☒ (BY PERSONAL SERVICE) I personally delivered a true copy of the above-described document(s) to the person and at the address as set forth below.


☐ (BY OVERNIGHT DELIVERY) A true copy of the above-described document(s) was placed in a sealed envelope, with delivery fees provided for, and delivered in the ordinary course of business to an overnight delivery carrier, addressed to the person(s) on whom it is to be served.

Neal G. Benson  
5462 Begonia Drive  
San Jose, CA 95124

Plaintiff in Pro Per  
Tel: 408/267-7456  
Fax: unknown

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 2, 2007, at San Jose, California.

  
Michael Vaquera